

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLIFTON TAB MOFFAT,

Plaintiff,

Hon. Richard Alan Enslen

v.

Case No. 1:06 CV 885

CONDOLEEZZA RICE,

Defendant.

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**ORDER**

Plaintiff has initiated the present action against United States Secretary of State Condoleezza Rice. The Court has granted Plaintiff's motion to proceed as a pauper in this matter. Having granted Plaintiff's motion to proceed as a pauper, the Court has conducted an initial review of the Complaint pursuant to 28 U.S.C. § 1915(e)(2) to determine whether it is frivolous, malicious, or fails to state a claim upon which relief can be granted. Having conducted this initial review, the Court concludes that Plaintiff's Complaint must be dismissed for failure to state a claim upon which relief may be granted.

Pursuant to Federal Rule of Civil Procedure 12(b)(6), a claim may be dismissed for failure to state a claim upon which relief may be granted where, even accepting as true Plaintiff's allegations and construing the complaint liberally in his favor, it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Herron v. Harrison*, 203 F.3d 410, 414 (6th Cir. 2000) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)).

In his Complaint, Plaintiff asserts that he “never voluntarily joined the Social Security Program,” but has instead been “compelled under threat, duress, and coercion” to participate in the Social Security program. Plaintiff further asserts that because he is a “sovereign” American he is not subject to any legislation enacted by the United States government. For relief, Plaintiff requests the “return of all monies wrongfully withheld under Social Security/F.I.C.A.” In short, Plaintiff has asserted no facts which, if proven, would entitle him to relief under any theory. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted.

DATED in Kalamazoo, MI:  
March 9, 2007

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE